

**MINUTES  
CHARTER SCHOOL COMMISSION MEETING  
July 20-21, 2004  
The Grove Hotel  
Boise State University  
Boise, Idaho**

A regular meeting of the Charter School Commission was held on July 20-21, 2004, at the Grove Hotel and at Boise State University in Boise, Idaho. The following members were present:

Marianne Donnelly  
Paul Powell  
Esther Van Wart

Bill Goesling  
Ann Souza

Jim Hammond and Kirk Miller were absent when the meeting was called to order at 6:40 p.m. However, Jim Hammond arrived later and was present for the remainder of the meeting.

**EXECUTIVE SESSION**

**M/S (Donnelly/Souza): To enter into executive session pursuant to Idaho Code Section 67-2345 (1), (a), (b), (c), (d), and (f).** *A roll call vote was taken. Motion carried unanimously.*

In executive session, the Commission considered hiring a public officer, employee, staff member or individual agent; considered the evaluation, dismissal or disciplining of, or complaints or charges brought against a public officer, employee, staff member or individual agent, or public school student; considered records that are exempt from public inspection; and considered and advised its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

The open meeting reconvened at 8:20 a.m. on July 21, 2004, in the Lookout Room at Boise State University. All members were present.

**1. Introduction of Commissioners**

This was an informational item only.

**2. Election of Officers**

**M/S (Van Wart/Powell): To elect Jim Hammond as the Chairman of the Charter School Commission.** *The motion carried unanimously.*

Chairman Hammond made the suggestion that the election of the Vice Chairman be held later in the day, because everyone is not new. It was agreed to by unanimous consent.

Chairman Hammond also discussed the option of dispensing with the orientation portion of the agenda. This was also agreed to by unanimous consent.

#### 5. Adoption of Charter Commission Rules

Commission staff member, Karen Echeverria, informed the Commission that these rules are the method for governance of the Commission.

Commissioner Goesling requested clarification on the need for a retroactive date. Ms. Echeverria informed the Commission that this was due to the fact that April 1, 2004, is the date the legislation was adopted, but the date is up to the Commission.

**M/S (Goesling/\_\_\_\_\_): A motion to approve the rules governing the Public Charter School Commission.** *The amended motion superceded this motion.*

During discussion, Commissioner Goesling proposed that the effective date be moved to July 21, 2004, and asked that the motion be amended to reflect the change of date.

**M/S (Goesling/Van Wart): A motion to approve, as temporary and proposed, the Rules Governing the Public Charter School Commission, IDAPA 08.02.05, as amended.** *The motion carried unanimously.*

Commission counsel, Jeff Schrader, suggested that each side during the discussion be limited to 30 minutes discussion to facilitate the ability of the Commission to hear all the participants. Commissioner Powell wanted to clarify that the Commission would only be hearing petitioners as new petitions – not as appeals. Chairman Hammond went on to remind everyone that there is every possibility there will be no decisions made today.

#### 6. Rolling Hills Public Charter School

The address of the school is 372 S. Eagle Rd., #155, Eagle, Idaho 83616.

Craig Jones began the discussion by giving some history of their situation. He requested that the transcript from the Boise School Board meeting of February 3, 2004, which denied the charter be entered into the record. Rolling Hills believes that without this information, the Commission will only hear one side and not have all the relevant data.

Mr. Jones went on to state that the vision of the petitioners is to provide the very best education for all the children involved, which will help provide a thriving learning environment. Rolling Hills proposes to adopt the Harbor Method, which the group believes will provide a unique educational opportunity that will cover world history, language, and economics for the borderless community of the 21<sup>st</sup> century. There are three fundamental needs for Rolling Hills to be chartered: (1) comply with all laws and regulations, including special education; (2) provide an environment that is unique, innovative, and effective; and (3) demonstrate financial responsibility to administer the school.

Nicole Morris furthered the discussion regarding the fiscal matters. The budget was developed very conservatively as a guideline based on the actual expenditures and revenues from both Hidden Springs Charter School and North Star Charter School. All school will receive the funds from the state based on the Average Daily Attendance (ADA) formula. The school would open with K-8 for the first year with 250 students. The school will be applying for Title V funds, although these were not figured into the budget, because it is not clear whether these funds will be renewed for the 2005-06 and 2006-07 school years. Ms. Morris went on to state that the school will pursue all funding avenues available to them.

In the expense portion of the budget, Ms. Morris informed the Commission that teacher salaries are modeled on those of North Star Charter School, which include all benefits and are based on 3% inflation. The classified employees are based on a job-share situation and they will only work 19.5 hours per week, which will lessen the expenses for PERSI and other benefits. The bookkeeping function will be subcontracted. The supplies and purchases were based on actual numbers from both Hidden Springs and North Star, and are based on a 4% inflation figure. Portable classrooms will be used for the first years, and the land will be leased.

Commissioners Miller and Powell asked for clarification on staff salaries regarding state scale. Ms. Morris responded that the allowance takes into consideration all administrative, classified, and certified teachers using the state formula. The Commissioners also requested information on the expenses for keeping the in-service for teachers from Harbor Institute. Ms. Morris informed the Commission that the updates are not currently calculated into the budget. Commissioner Miller also requested further information on staffing – PE, nurse, etc. Ms. Morris stated that the staff will be “bare bones” until they can obtain funding from the other sources. She also went on to tell the Commission that the Financial Manager will be geared more toward the Board Treasurer. Commissioner Miller went on to request more clarification on the training and the associated costs.

Commissioner Goesling requested information on the process to determine the number of students and the demographics. Ms. Morris responded that the surrounding schools, including charter schools (which have waiting lists), are above or at capacity. Rolling Hills expects to have more than 250 students for K-7, with the 8<sup>th</sup> grade being full, but not over capacity.

Commissioner Van Wart asked for clarification of the 2-mile attendance area. Ms. Morris informed the Commission that this will be the primary attendance area and if Rolling Hills does not fill their attendance numbers from that, they will go beyond to a secondary area. Commissioner Donnelly wanted information about the demographics of the students.

Chairman Hammond suggested the presenters be allowed to complete their presentations.

Ms. Morris informed the Commission, and specifically Commissioner Goesling, that the special education funds are not included in the budget yet due to the fact that until they have the actual number of special needs students, they will not know to what extent they will need to request funds.

Nate Hosack was the next person presenting for Rolling Hills. He presented information on site facilities. The plan is very straightforward. Rolling Hills will house the students in portable classrooms for the first two to three years until they can save up enough money for a permanent building. Rolling Hills has a letter of intent for property on State Street between Duncan and Bogart to lease approximately three acres. Mr. Hosack went on to answer Commissioner Powell's questions by stating that he obtained the quote for the cost of these buildings from Pacific Mobile. The quote includes ramps, walkways, and will include an office unit. The property Rolling Hills will lease is for the short term, and the permanent site has not yet been selected, although they are looking for one with socio/economic diversity and that will provide a safe environment for the students.

Christine Reynolds was the last presenter for Rolling Hills. Ms. Reynolds stated that she spoke with Dr. Jones from the State Department of Education regarding special education and that the funds required for handling these functions could be advanced from the department. Ms. Reynolds went on to state that the site they finally decided upon was chosen specifically because of the diversity. Various developers had offered property, but Rolling Hills did not want to be confined to specific developments.

Ms. Reynolds informed the Commission, in her concluding statements, that Rolling Hills updated their petition according to the law that was enacted April 1, 2004. She went on state that Rolling Hills wants to have a committee in which the parents will always be involved, even as the founders' families move through the school. Rolling Hills will provide a unique learning experience in that it will, by utilizing the Harbor Method of discipline, focus on world history, language and economics. The founding families feel these areas of expertise are vital to children growing up in the 21<sup>st</sup> century.

Commissioner Miller would like to see all the staff positions in the budget and account for the funds necessary to have these positions. He also wanted to know how the objectives not on tests would be measured for success. He went on to ask about the 7<sup>th</sup> and 8<sup>th</sup> grades as relates to "No Child Left Behind" and how all the criteria would be covered by only two teachers. Ms. Reynolds informed the Commission that these would be provided by the Harbor method and she would provide further clarification if necessary. Commissioner Miller requested these facts.

Commissioner Goesling requested information on whether the communication between Rolling Hills and the Boise School District should be strengthened. Mr. Jones responded that they realize no school can be isolated from any entity. He went on to state that they intend to keep the lines of communication open. Chairman Hammond went on to remind Rolling Hills that there are some very good reasons to not be chartered by any other entity than the local school district due to the funds that could be obtained from the school district.

Commissioner Goesling also asked about food service and transportation. Ms. Reynolds informed the Commission that the first year, food service would not be provided unless there are students who qualify for free and/or reduced lunches. As far as the transportation to school, Rolling Hills has been told they can be advanced transportation costs. Mr. Hosack went on to tell the Commission that students would eat in the classrooms and/or on the playground, depending on the weather.

Commissioner Donnelly made the comment that there appears to be a great many charter schools, and she wondered why Rolling Hills was unique. Ms. Reynolds responded that even though there are quite a few charter schools, Rolling Hills is the only one focusing on world history and economics, along with a strong emphasis on Spanish.

Commissioner Powell wanted clarification on the transportation issue and that the Department of Education specifically stated in the workshop on Tuesday that transportation costs would be reimbursed during the second year. He also requested more information on the food service regarding free and reduced lunch.

Commissioner Miller stated that it appeared that the petition appeared to be a fairly standard presentation, and he would like to see a more detailed curriculum that shows the innovation of the world history and economics. He also asked for clarification on the secondary attendance area and what it comprises. Ms. Reynolds stated that Rolling Hills did not delineate this secondary attendance area, because it is the same attendance area as the Boise School District.

Dr. Stan Olson, Superintendent of the Boise School District, then spoke on behalf of the Boise School District. With him was Mr. John King, attorney for the district. Dr. Olson stated the district has a long history of supporting charter schools. The district also believes in the Harbor Method and, in fact, will be transforming Owyhee Elementary into a Harbor Method school for the 2004-05 school year. The district is also opening two Pilot Schools utilizing the K-12 method, which uses "smart boards." They are also partnering with Meridian District to open an advanced placement math, science and technology-based school, which is merit-based.

Dr. Olson stated that the Boise School District wants Rolling Hills to succeed, but the district did not feel they were ready to move forward with their program. Rolling Hills was invited back after making improvements to their petition, but they obviously took another path. Boise School District had concerns with the special education program, their finances, and their site. The district did not believe these concerns could not be resolved, but that they needed to be addressed and resolved.

Boise School District wants to offer the opportunity to the Commission to confer with the district on the petition and review the areas with which they were concerned.

Commissioner Miller asked for the district's understanding of what Boise School District would provide in the area of special education. Dr. Olson, however, stated that he has not seen the current petition and, therefore, he cannot speak to that. He hopes these issues have been addressed and corrected to the satisfaction of the Department of Education.

Commission Chairman Hammond asks if the Commission charters Rolling Hills, would that rule out Boise School District working with the school in contracting for the ancillary services needed. Dr. Olson responded that the district is very willing to provide the assistance they need, but the district had to be very sure of who would be responsible for the school. Commissioner Van Wart asked for clarification on the special education plan, and whether Rolling Hills would be totally responsible. Dr. Olson stated that this is the case, as long as the plan is succinct and one that identifies authorities and responsibilities.

Dr. Olson was asked to provide an executive summary of the alternative programs the school district will be utilizing.

By unanimous consent, it was determined that this matter would be taken under consideration only.

7. Idaho Virtual Academy (IDVA)

David Gencarella, Chairman of the Board of Idaho Virtual Academy, 1488 S. Eagle Flight Way, Boise, ID 83719, (208) 659-1937, gave testimony on behalf of IDVA. This is a statewide, multi-district school that utilizes traditional and technological curriculum. This program requires parents to be involved, and corrects many problems experienced in the public schools. The students take all the same tests as taken in the traditional schools. Over half of the students are below the poverty line. The school has approximately 45 teachers, and along with the online work, there is a 98% satisfaction rate with parents. IDVA is a misfit of the charter school legislation originally developed because they are multi-district. IDVA's board and the Butte School District believe it is more appropriate to transfer their charter from Butte School District to the Commission, because they will then be under a statewide group and not district specific.

Commissioner Souza asked about the student teacher ratio. Mr. Gencarella stated it was approximately 50:1. She went on to ask how often students meet face-to-face with the teachers. Mr. Gencarella stated that occurs whenever necessary, plus there are monthly outings, online meetings, and teleconferences. Commissioner Souza also asked how teachers know the students are doing the work and not someone else. Mr. Gencarella stated that all the assessments are done online and the work is logged when completed, although he could not readily answer the question. At this point, Vicki Scheuffle, the administrator for IDVA joined the discussion stating that students must submit work samples to their teachers to show their understanding of the assignments. The teachers have been trained to look for "red flags."

Commissioner Donnelly asked how much it cost the parents for the materials, and Mr. Gencarella responded that they do not pay for these upfront – they come from state monies. Commissioner Van Wart asked about whether the school has met the legal sufficiency review prepared by the State Department of Education, to which Commissioner Powell asked for clarification.

Commissioner Miller asked about typical outings. Ms. Scheuffle responded that they could comprise outings in regular brick and mortar facilities, or meet together in the students' geographic area to conduct workshops. If the students are not able to participate, they are not penalized. Commissioner Miller also asked about illnesses of students and teachers; about computer problems and how the school deals with them. He also asked about Individual Education Plans (IEPs). With regard to the illnesses and attendance, parents log the students in; when the system is down, the parents change the agenda for the day from computer-based learning to textbooks. In regard to the IEPs, the school has a special education director that works with the teachers, students and state department to ensure the students receive the best education. If there are face-to-face meetings needed, they go to a central location to meet with

the IEP team. The school also provides all the necessary items with which the child needs to learn.

Commissioner Miller went on to ask about what happens if and when a student drops out of the program. Mr. Gencarella stated there is an inventory list to get the equipment back. Ms. Scheuffle went on to state that this inventory was very detailed in order to utilize the tax dollars to the best of their ability.

Commissioner Powell requested clarification of the school's organization and the administration of the school. Mr. Gencarella responded that all of the Board of Directors are Idaho residents; they have no affiliation with the service provider and they are all volunteers. Even though the contract service provider assists with administration, the teachers are direct employees of the school. The Board meets monthly either via teleconference or online, and face-to-face at least quarterly. There is a fairly formal process by which the bills are paid.

Commissioner Powell asked for follow up information on financials and the budget for the coming year. He went on to ask for general statements about the financials. Mr. Gencarella stated they have included a three-year projected income and expenses. He also informed the Commission that they have not gone over their budget and are tracking expenses very closely. He also promised to have the financial manager send detailed information.

Commissioner Souza asked about the teachers and who evaluates them. Ms. Scheuffle informed the Commission that K-12 administrators evaluate the teachers. Commissioner Souza believes this is a problem, because it appears there are two entities supervising teachers. She went on to ask why IDVA wants to change from Butte School District to being under the Commission. Mr. Gencarella stated that it just seems to be a better fit, because IDVA is not a district-based school. Commission Chairman Hammond went on to explain that there has been much made of virtual schools being chartered by a specific school district in that the school district is then paying the cost of educating students out of the chartering district.

Commissioner Donnelly requested clarification on whether IDVA is an LEA already. Mr. Gencarella responded that when IDVA was first chartered, all the charters were district-based. Commission Chairman Hammond went on to state that this is a political issue.

Commissioner Miller asked why IDVA is limited to the number of students they can have. IDVA responded that there are only so many that the state will reimburse them for and, if the state is unable to fund them, the number will be less. Commissioner Miller went on to ask about whether IDVA will now have a waiting list and lottery. The Commission was informed that this is a possibility.

Commissioner Goesling asked about dual enrollment. Mr. Gencarella responded that there aren't that many. Ms. Scheuffle stated they work within the statutes. Commissioner Goesling went on to request the contract that exists between K-12 and IDVA, especially where it relates to teacher evaluation. Mr. Gencarella stated that the Board approves teacher contracts; they are not "hands off." K-12 does not hire or fire without the Board's approval; the Board controls all employment matters. Brian Julian, attorney for the school, went on to explain the process regarding how the

service provider proceeds in dealing with teachers. Commissioner Souza requested information regarding how the administrators interact with the teachers. Ms. Scheuffle responded that there are weekly meetings, but also daily correspondence – whether by telephone, email, or virtually – to deal with the teachers. There are also quarterly conferences.

Commissioner Goesling stated there might be a possible conflict of interest due to his serving on the Moscow School District and the fact the Mr. Julian represents the district.

Commissioner Powell requested information on the school's 2004 test results for Idaho reading indicator (IRI) and Idaho Standards Achievement Tests (ISAT). Ms. Scheuffle stated they have met adequate yearly progress (AYP). She went on to inform the Commission that they discuss each child with parents, teachers, and administrators to determine the best course of action on an individual basis.

By unanimous consent, it was determined that this matter would be taken under consideration only.

#### 8. Idaho Virtual High School

Larry Slade, principal and founder of Idaho Virtual High School (IVHS). By way of history, he informed the Commission his school was chartered by the Mountain Home School district in 2001, and the teachers have designed the curriculum. All teachers are, by state definition, highly qualified. By the end of the 2003-04 school year, there were 450 students that are either home schooled or at risk. Average daily attendance is 120, but there are 450 students overall. Mr. Slade stated the at risk students usually only have to take one or two classes to graduate – approximately 33%. The students attend Idaho Virtual High School for two reasons: (1) the students are dissatisfied with the pace of school; and (2) the environment is not comfortable for the student.

Commissioner Donnelly wondered if IVHS works through any alternative programs. Mr. Slade stated the biggest problem with which they are faced is the funding; especially with the juvenile facilities, because during lock-down, the students are not allowed email. The school does have an agreement with Idaho Youth Ranch.

Commissioner Van Wart requested information about student-teacher ratios. Mr. Slade informed the Commission that there are 15 teachers; and the ratios are 50:1 for full-time teachers and 20:1 for part-time students. He went on to state the parents are involved completely, because they have access to everything the students are doing. Commissioner Van Wart also asked about the curriculum, to which Mr. Slade responded they offer a full range of classes.

Commissioner Donnelly asked why the school wants to have the Commission act as their chartering entity. Mr. Slade stated that the school district was concerned about how they deal with special education and the liability of students in AYP when the students are from other school districts. The school is now an LEA, but it now seems like a logical step to be chartered

by the Commission. They assume the responsibility for the students and are not liable to any other district.

Commissioner Miller requested information about the make-up of the school. Mr. Slade stated they are very traditional – there is a Board of Directors, of which Mr. Slade is not a member, Mr. Slade is the principal who makes recommendations and evaluations, a guidance counselor, administrative staff, and teachers. Commissioner Miller went on to ask how Mr. Slade works with students and teachers on a face-to-face basis. Mr. Slade informed the Commission that he meets with staff three times a year, and those are day-long in-services on Saturdays where training is given on the software, etc. As far as face-to-face with students, especially special education students, the director goes out to the home to set up the IEP team. They meet most often with students when the ISAT is administered. The meetings with teachers and students are basically virtual.

Commissioner Donnelly asked for clarification on the curriculum. Mr. Slade stated, except for those classes that are higher end, such as physics and advanced placement classes, the teachers and he developed the curriculum. He went on to say that APEX is the company they use for advanced placement curriculum.

Commissioner Powell asked about the reserve at the end of 2002-03 budget, and why in the 2003-04 budget, there is an overage. Mr. Slade stated this was the capital asset program. Mr. Slade stated when they first started, they had summer school and they leased their curriculum from Florida Virtual. In the second year, there was no summer school, but he believes there will be greater enrollment in the future. He went on to state that anything left over is put in the capital asset program so they can construct a building. They anticipate a \$250,000 carryover.

**M/S (Goesling/Donnelly): A motion to accept Idaho Virtual High School charter as submitted.**

Commissioner Powell brought up a point of order on the issue of whether the Commission feels comfortable voting today.

The motion was withdrawn. With unanimous consent, the Commission took the matter under advisement.

#### 9. & 10. Idaho Leadership Academy – Idaho Falls/Pingree

Steve Adams began the presentation for the schools. He stated he was approached by a group of parents who wanted to provide a liberal arts program for their students based on the great books. This is how they found Dr. Henke. Mr. Adams also informed the Commission that the legal sufficiency recommendations from the Pingree School were incorporated into the Idaho Falls petition.

Mr. Adams then went into the history of the school's dealings with the Idaho Falls School District. The charter was denied, so they went through the appeal process. The petitioners even went so far as to state that they would completely rewrite the petition to comply with the

district's requirements. The petitioners appealed to the State Board of Education (Board). The Board remanded the school to the Commission.

Dr. Henke then took over the presentation to discuss the curriculum, which is based on the great books program. The great books program started in the 1940s. This is a collection of books from the last 3000 years. This turned into the Paideia Program in the 1980s. Idaho Leadership Academy (ILA) uses the Paideia Program, along with the Thomas Jefferson Education program, which is a personalized mentoring program for students. This focuses on three areas: (1) didactic instruction from certified teachers; (2) skills development; and (3) humanistic – becoming what you learn. Student leadership is mandatory, as is 20 hours of community service per year. The goal is to help students develop into great thinkers with a good liberal arts education.

Commission Chairman Hammond commented that the curriculum creates thinkers who look at the greater values and issues, but he is not clear about how students leave with other basic life skills; who understand the basic sciences and math. Dr. Henke explained that when science and math are studied, they come from the historic great books and the students utilize modern textbooks. With regard to science, the school reproduces the labs based on ancient works for the students. He went on to state that all the state standards are met for all areas of study. Dr. Henke also informed the Commission that between 60% and 70% of the students have gone on to college with the aid of scholarships.

Commissioner Miller asked what grades the petition covers, to which both Mr. Adams and Dr. Henke responded that the petitions cover grades 7-12. Commissioner Miller also asked about facilities, number of students, etc. Mr. Adams stated that there are two business plans included in the documentation. With regard to facilities, the school would like to start out with modular units, which would then work into a regular brick and mortar building. The group also looked at existing buildings within the Idaho Falls School District, because the district did close one of the elementary schools. They also are pursuing new construction, which if the school does not open until next year, would be a viable plan. Realistically, Dr. Henke would like to start with 30 students who would primarily be the siblings of the students traveling to Pingree. These students would be 7<sup>th</sup> and 8<sup>th</sup> graders, which is where they really start developing their skills in reading and writing.

Commissioner Donnelly asked if the long term plan was to give up the Pingree location and move to just the Idaho Falls location. Dr. Henke informed the Board that the 10-year plan is to grow to small schools all over the state with 120 students per school. Mr. Adams went on to state that there are parents contacting them constantly to utilize the distance-learning and virtual plan, which could then develop into an on-campus program.

Commission Chairman Hammond asked for clarification on why they have not petitioned to become an LEA with multiple schools. Mr. Adams informed the Commission that they have. Pingree has formally requested LEA status, but they are waiting for the determination of granting the petition for Idaho Falls. The reasoning behind the two petitions was that one be an on-campus program and then also have many learning centers. ILA feels the key of development

should be what could we do to best serve the children and the community. The approach of ILA is to comply with state law, but also to best serve the students.

Commission Chairman Hammond commented that the Commission would look into the LEA status further. Mr. Adams informed the Commission that the reason they are requesting two separate charters deals with financial considerations, because of the federal funds available.

Commissioner Van Wart asked about the relationship with the school district. Mr. Adams informed the Board that the school district is a bit tenuous because of the special education issue. It has improved, however, since Pingree has the possibility of becoming an LEA. Dr. Henke also told the Commission that when Pingree was chartered, it was a different administration, which caused some consternation. However, he reiterated that they currently had the best relationship they have ever had with Snake River, but Snake River would prefer that the Commission charter them. Commissioner Van Wart went on to ask about the ILA Board of Directors. Mr. Adams informed the Commission that there are no paid members on the Board. He went on to state that he is the Business Manager for the school.

Commissioner Van Wart requested information on how the Board, administrators, teachers and all classified employees are trained. Mr. Adams stated that Charter Advocates consults with the Board. The Idaho Charter School Network is developing training and ILA is participating in this training. Dr. Henke is now the president of ILA. Mr. Adams stated they are proposing the use of the new business plan.

Faculty training is done every other week from 9:00 to 12:00. They also have weekly training from 3:30 to 5:00. This training is mandatory for administrators and teachers, but all employees and parents are encouraged to attend.

Commissioner Souza asked about special education for distance learners. Dr. Henke stated they have a full time coordinator that will travel to students' homes. Commissioner Souza went on to ask about special needs, to which Dr. Henke and Mr. Adams stated they would contract with the districts to provide necessary equipment. There are more options available as ILA grows. Mr. Adams went on to say that special education is a difficult issue, but it is also simple in that the best possible services must be provided for the students or they will go bankrupt trying. Commissioner Souza asked why ILA wants to be an LEA, when the school districts would provide these services. Mr. Adams believes becoming an independent public school, is more fair, because if the charter school messes up, the school district is liable for students who reside outside of the Snake River district.

Commissioner Powell asked what ILA's preferred, complete package would like to accomplish. Dr. Henke responded stating that Pingree approved through the Commission as an LEA and that the Idaho Falls school be approved under one charter to operate both schools and a virtual program. However, Mr. Adams stated that, financially, they need two separate charters – one for Pingree, which would include a virtual program that is home-based. As various groups decide they want to set up ILA charter schools, they would be required to go to the Pingree Board to work through them. He went on to state that the Board of ILA wants to run both charters.

Commissioner Souza wanted to know from the Commission attorneys if one Board of Directors can run two charters. Commission attorneys stated that this would require further review. Mr. Adams also responded that he would have ILA's attorney, Brendan Taylor, review this matter, as well. Commissioner Powell would like to get the semantics clarified in this regard.

Commission Chairman Hammond asked if there is anything more the petitioners want to contribute prior to recessing. Mr. Adams wanted to make a few proposals. First, that the Commission grant the Idaho Falls charter. Second, to obtain guidance on the appropriateness of Pingree becoming an LEA. Third, give ILA the specific requirements for approval. Finally, what conditions would be necessary for the charter to be approved.

By unanimous consent, it was determined that this matter would be taken under consideration only.

#### Election of Officers – Vice Chairman

**M/S (Donnelly/Souza):** To nominate Bill Goesling for the position of Vice Chairman.

**M/S (Donnelly/Souza):** To close the nominations. *The motion carried unanimously. The vote to elect Bill Goesling as the Vice Chairman of the Charter School Commission carried 6-1 (Goesling dissenting).*

#### 11. Compass Charter School

Susan Luke, Vice Chair of the Compass Charter School (Compass), began the presentation. For the past 14 months, Compass has attempted to work with the Meridian School District to open the school. The group acted on the advice of many entities and people; set up committees to deal with curriculum, legal sufficiencies, facilities, grants, financial matters, and staff requirements.

Kayla Rich, a member of the Compass Charter School Board of Directors, continued the presentation. The Board of Directors has worked on the concerns of busing; the lottery pool, food services, and they comply with all Idaho statutes governing public charter schools. She went on to inform the Commission they will be utilizing the Harbor method, and they will be contracting for services of busing, special education, and food services. The group has looked at various sites South of the interstate, and they would begin with portable classroom units.

Commissioner Powell notified the Board that he is a director of the Harbor Institute.

Commissioner Van Wart first asked whether the school would like to fill 270 slots. Ms. Rich affirmed that is the initial expected attendance.

Commissioner Van Wart then asked about the group's experience with the local school district. Ms. Rich stated that one of the sticking points was due to the founders' preference, but with the passing the current legislation, this matter has been resolved. The local school district then put forth requirements for busing, food service, and special education, which made it unproductive to continue discussions.

Commissioner Powell asked for clarification of enrollment policy and the primary attendance area. Ms. Rich responded that part of the Meridian School District is South of the interstate is a real cross section of the demographics of the population. Commissioner Powell requested further information on founders' preference. Ms. Rich stated they anticipate founders will not exceed 10% of the total enrollment, according to Idaho code. Commissioner Powell asked if there is a preference for siblings. Ms. Rich stated this is true as the statute allows, and is outlined as the lottery is set up.

Commissioner Donnelly asked if the Meridian School District has other charter schools. Ms. Rich informed the Commission that there are two district-chartered schools, both are high schools, and there is the North Star Charter School. Due to the size of the Meridian district, many children do not have the opportunity to attend a charter school. North Star is on the North side of the district. The group wants to install Compass outside the primary and secondary attendance areas of North Star to allow different students to attend.

Commissioner Miller asked why the class sizes are higher than most Harbor method schools. Ms. Rich responded that if the Commissioners would go to page 23, they would see there are several part-time educational assistants. This information was based on Liberty Charter School's beginning numbers. The class size was also based on numbers from Liberty Charter School.

Commissioner Souza requested information on how Compass Charter will provide special services to the students. Ms. Rich informed the Commission that on page 12 they have outlined how these needs will be handled. They would first like to work with Meridian School District, but they are willing to sub-contract with others. Their intent is to provide these needs no matter what. Commissioner Souza requested further clarification of whether the school would have either in-house or go out of house for these services. Ms. Rich informed the Commission that it is hard to anticipate these needs at this time and that they anticipate having a part-time special education administrator, however, they do not know if this will be enough at this time.

Commissioner Miller expressed real concerns with the budget, which does not reflect inflation. Ms. Rich informed the Commission that the budget before them is not the working budget. Commissioner Powell requested a full budget with a column per year and comparatives from year-to-year.

Commissioner Miller asked what makes Compass Charter unique. Ms. Rich stated that first and foremost it will extend to the 12<sup>th</sup> grade, but also they will focus on arts and music. Commissioner Miller went on to question the ½ FTE for music, but nothing for art. Ms. Rich stated that the projects the students work on in the classroom are based on arts and music and even though class time might not be set aside for art and music, the emphasis are taught throughout the learning experience. She went on to state that fine arts and music would be an enhancement to the curriculum.

Commission Chairman Hammond asked what is so wonderful about the Harbor method. Ms. Rich stated that when they visited several charter schools that used the Harbor method, the delivery of the system and the mission of the entire school is different than in public schools. The method allows the children to focus on learning – the rules are the same everywhere; this is

a safe “harbor” in which the students can learn. There is a unity among staff; they all have the same driving direction. There is a measure of discipline, but it also fosters a sense of creativity that allows the students to realize they can go anywhere and be anything.

Vice-Chairman Goesling took over the meeting.

Mr. Eric Exline, Public Information Officer from the Meridian School District, presented the school district’s side of the issue. Mr. Exline informed the Commission they have quite a bit of experience with charter schools. Based on their experience, there are some things that should be components in charter school petitions. The main item of concern was their desire to have a provision for founders, which was resolved. There were other issues that came out: (1) free and reduced lunches should be provided, because there are 18% of the district that requires this service; and (2) 50% of the children travel to school by bus, and if transportation is not provided, this is not truly a choice in education. The school district stated they would contract with Compass for transportation and for food service. The group, however, determined they did not want to work with the school district on these matters.

Commissioner Miller asked for clarification on how special education services would be provided through the district. Mr. Exline responded that if Compass had continued with the district, it would have helped because it is mandated by law that the district support them. If they become an LEA, the district would provide the services at their cost based on availability.

Commissioner Powell made the comment that curriculum appeared to be an issue. Mr. Exline stated that Meridian made staff available to consult with Compass on their curriculum needs. The expectation of the district is what is taught and when, and that is the information for which the district was looking. He went on to state that the Harbor method is a philosophy – not a curriculum. The school board was looking for more detail in what was in Compass’ curriculum. Commissioner Powell went on to ask if there was any possibility of working with the district or is there a real impasse between the two entities. Mr. Exline continued by saying that Compass made the decision to come to the Commission instead of working with the district.

Commissioner Van Wart commented that she had not realized how many various types of charter schools there were until after she attended the 2004 National Charter School Conference in Miami. She went on to state that the most important thing to remember is the children.

Commissioner Souza asked if the Meridian school board expects petitioners to come to the board with a fully developed curriculum. Mr. Exline stated that upon approval, the charter school would come to the school board with a majority of the curriculum developed with the help of its staff.

Commissioner Powell asked if the district had a specific recommendation for the Commission on whether this charter or another recommendation to approve the charter. Mr. Exline informed the Commission that he only came today to express the district’s concerns about this charter school.

Mr. Marcus Ward, an attorney in Caldwell, gave a rebuttal on behalf of Compass Charter stating that Meridian school board was overtly hostile.

By unanimous consent, it was determined that this matter would be taken under consideration only.

**M/S (Souza/Donnelly): To adjourn the meeting at 4:20 pm. *The motion carried unanimously.***